NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE MARYLAND 20755-6000

10 October 2012

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 30 June 2012 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard

GEORGE ELLARD
Inspector General

RAJESH DE
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

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Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

I. (U) Intelligence, Counterintelligence, and Intelligence-Related Activities that Violated Law, Regulation, or Policy and Were Substantiated during the Quarter, as well as Actions Taken as a Result of the Violations

I.A. (U) Intelligence Activities Conducted under Executive Order (E.O.) 12333 Authority

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.A.1 (U) Unintentional Targeting or Database Queries against U.S. Persons (USPs) or Foreign Persons in the United States

~~(S//SI//REL TO USA, FVEY)~~ During the first quarter of calendar year 2012 (CY2012), the National Security Agency/Central Security Service (NSA/CSS) continued [redacted] As a result, in June 2012, NSA/CSS's primary tasking tools for telephone and Internet selectors contained approximately [redacted] active selectors, consistent with the number reported last quarter.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) During the second quarter of CY2012, signals intelligence (SIGINT) analysts in [redacted] instances inadvertently targeted communications to, from, or about USPs while pursuing foreign intelligence tasking or performed a query using a USP selector. Unless otherwise specified, all intercepts, query results, and reports have been deleted or destroyed as required by United States SIGINT Directive SP0018.

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(b)(3)-P.L. 86-36

I.A.1.a. (U) Tasking Errors

~~(S//SI//REL TO USA, FVEY)~~ On [redacted] occasions during the second quarter, NSA analysts performed a query or tasked a selector without doing the necessary research to determine whether the target was a USP. On each occasion, the query was deleted or the selector was removed.

~~(TS//SI//REL)~~ [redacted] was erroneously targeted and collection occurred for five minutes because an [redacted] collection operator did not first detask [redacted] while performing a systems check. All collected data has been purged.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector for a valid foreign intelligence target had been tasked while the target was in the United States since [redacted] The query and the results were deleted.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA auditor discovered that [redacted] selectors for [redacted] valid foreign intelligence targets had remained tasked while the targets visited the United States [redacted] There was no collection.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector associated with a USP, which had been detasked [redacted] had been erroneously retasked. [redacted] the selector was detasked. No dissemination occurred.

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

~~(S//SI//REL TO USA, FVEY)~~ during tasking, an NSA collection site On the same day, the site detasked the telephone numbers. No collection occurred.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ On occasions NSA forwarded the inadvertent intercept of a possible USP. All non-compliant data was purged, and no dissemination occurred.

~~(TS//SI//NF)~~ On occasions associated with a kidnapping incident. the selectors were discovered to belong to USPs. The telephone numbers were detasked, and no collection occurred.

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(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, GBR)~~ an NSA analyst discovered that a selector tasked belonged to a USP. There were no indications before that the target was a USP. all collection and queries were identified and deleted. six reports were canceled.

~~(S//SI//REL TO USA, FVEY)~~ reported targeting a foreign national located in the United States. The selector was detasked, and no collection occurred.

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(b)(3)-P.L. 86-36

I.A.1.b. (U) Database Queries

~~(S//SI//REL TO USA, FVEY)~~

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(U//~~FOUO~~) On occasions during the second quarter, analysts performed overly broad or poorly constructed database queries that potentially targeted and/or returned information about USPs. These queries used that produced imprecise results.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) On of those occasions, the queries returned results from the database. The query results were deleted or aged off, as required, and no reports were issued. Analysts who performed these queries were counseled by their management.

(U) Procedural and other errors contributed to the following incidents:

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed raw traffic database queries using as

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

selectors. The analyst was counseled on proper querying procedures, and all results were deleted.

- ~~(S//SI//NF)~~ [redacted] an NSA analyst performed [redacted] queries on a foreign intelligence target while he was known to be in the United States. The query returned no results, and no dissemination occurred.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst performed a query on selectors believed to be associated with a foreign intelligence target. The analyst then learned from the customer that the target was a USP. The query results were not retained. To avoid recurrence, additional deconfliction procedures will be used with this customer when conducting target analysis.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query in a raw traffic database on [redacted] The query returned no results, and no dissemination occurred.

- ~~(S//SI//NF)~~ [redacted] made queries on selectors associated with USPs. NSA suspended the personnel's accesses to relevant databases and provided remedial training.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that database queries [redacted] were still running even though the consent-to-monitoring agreement had expired [redacted] the analyst stopped all queries. No collection or reporting occurred. The organization is developing a system solution to avoid recurrences of this type.

- ~~(TS//SI//NF)~~ [redacted] after verifying the locations of targets, an NSA analyst failed to remove one U.S. selector [redacted] before querying a database. The query returned no results, and no dissemination occurred.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst [redacted] when the target was determined to be a USP. The query results were deleted on 29 April, and no reporting occurred.

- ~~(S//SI//REL TO USA, FVEY)~~ On [redacted] occasions [redacted] an NSA analyst ran queries [redacted] On all [redacted] occasions, the analyst deleted the query results, and no dissemination occurred.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered while reviewing database query results that a valid foreign target had been in the United States [redacted] but the analyst failed to alert a co-worker of the target's status. The co-worker viewed query results for the time the target was in the United States. All queries and results were deleted, and no reporting occurred. The division instituted a new alert and review process to prevent similar incidents.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst ran a query on a selector that was later determined to belong to a USP. The query returned no results.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA auditor discovered that during an analyst had conducted multiple queries using U.S. terms as selectors. The query returned no results. The auditor conducted training for the analysts on proper database queries.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA auditor discovered that an analyst had performed a query The analyst deleted the results, and no dissemination occurred.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed a query The results were deleted.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst initiated a query in a raw traffic database. The analyst aborted the query, and no results were returned.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst ran a query on a selector associated with a USP. The analyst deleted the results, and no reporting occurred.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst, familiarizing himself with database querying procedures, executed an old query involving an authorized foreign intelligence target later discovered to be a USP. The analyst deleted the query and results.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed a series of queries information related to a possible threat to the United States. At the time, the NSA analyst believed that it was permissible when a potential threat existed. No results or dissemination occurred.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ a database auditor discovered that a analyst had performed a database query on a USP selector. The analyst deleted the query and destroyed any derived information. The auditor reminded the analyst not to query USP selectors.
- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst queried several selectors considered to be USPs. The results were deleted, and no dissemination occurred.
- ~~(TS//SI//REL TO USA, FVEY)~~ after detasking known selectors in the United States, an NSA analyst queried those same selectors . The query results were deleted, and the collection was purged.
- ~~(TS//SI//REL TO USA, FVEY)~~ an auditor discovered that an NSA analyst had performed three queries Although the query had returned results, the records had aged off.

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- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors query while the target was in the United States. The analyst stopped the query and deleted the results. No reports were generated as a result of the query.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a valid foreign target had remained tasked while the target was in the United States. the analyst detasked the selector the United States; the analyst deleted the query and the results.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that, although the selectors of targets had been detasked the United States on The queries for both of the targets were stopped

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that the United States from The analyst deleted the results, and no dissemination occurred.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that one of several database queries during a target's travel to the United States from The analyst was aware and stopped all queries on the target's selector. the analyst deleted all query results, and no reporting occurred.

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(b) (3)-P.L. 86-36

I.A.1.c. (U) Detasking Delays

~~(S//SI//REL TO USA, FVEY)~~ discovered that the selectors for valid foreign intelligence targets had mistakenly been left on task while the targets were in the United States. No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a valid foreign intelligence target remained on task after the target had arrived in the United States on The selector was detasked The collection was deleted, and no reports were issued.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst identified collection indicating that an authorized foreign target had traveled to the United States on the analyst had detasked the target The remaining selectors were detasked, and the collection was marked for purging.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors associated with a target traveling in the United States had been detasked No collection, reporting, or dissemination occurred.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that the selectors of authorized foreign targets had remained tasked while the targets were in the United States. Although the analyst had detasked all selectors

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[redacted] New procedures have been instituted to avoid recurrence of this problem.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the selector of an authorized foreign target had remained tasked while the target was in the United States [redacted] Data collected during this period was deleted [redacted] To avoid recurrence of this problem, managers established new branch-wide notification procedures.

~~(S//SI//REL TO USA, FVEY~~ [redacted] an NSA analyst realized that a selector, believed to have been detasked [redacted] was still tasked. The target had entered the United States on [redacted] On [redacted] the analyst detasked the selector [redacted] associated with the selector. The resulting data from [redacted] database queries was deleted on [redacted]

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst discovered that a valid foreign intelligence target had traveled to the United States on [redacted] A systems error caused a delay in detasking [redacted] when a systems administrator facilitated the detasking. No reporting occurred.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an analyst determined that the targets of another Intelligence Community agency had entered the United States on [redacted] NSA had detasked these selectors [redacted] however, [redacted] analysts purged [redacted] records.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that [redacted] selectors belonging to an authorized foreign target had been detasked [redacted] the United States. [redacted] the analyst deleted the collection associated with the relevant selector. No reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that, despite [redacted] with a target on [redacted] the United States from [redacted] selectors mistakenly remained tasked. The analyst discovered the error when attempting to retask the selectors. No collection occurred, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an IC member notified NSA that a valid foreign target had [redacted] to the United States on [redacted] No collection or dissemination occurred.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that one selector associated with an authorized foreign target had remained tasked when the target was in the United States. [redacted] the analyst had failed to detask one selector. [redacted] the analyst deleted the collection associated with the single selector. No reporting occurred.

~~(S//SI//REL TO USE, FVEY)~~ [redacted] an NSA analyst learned that the target was in the United States. No collection occurred, and the selector was detasked.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that tasked selectors had not been detasked despite [redacted] notification of the target's arrival in the United States [redacted] the analyst detasked the selectors and [redacted] all collection and query results were deleted. No reporting occurred. A senior analyst counseled the analysts involved about their responsibility to act on [redacted] the United States.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an auditor discovered that a selector remained on task when the target had traveled to the United States. A systems error caused improper detasking, and collection continued. The collection was not reviewed, and no reporting occurred.

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(b) (3)-P.L. 86-36
(b) (3)-18 USC 798
(b) (3)-50 USC 3024(i)

I.A.2 (U) [redacted]

~~(S//SI//REL TO USA, FVEY)~~ [redacted]

~~(S//SI//REL TO USA, FVEY)~~ [redacted]

I.A.3 (U) **Unauthorized Access**

~~(S//REL TO USA, FVEY)~~ [redacted] to perform a query and unknowingly access a raw traffic database without authorization. There was no need to detask, and no dissemination occurred. The [redacted] to avoid recurrence of this problem.

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(b) (3)-P.L. 86-36

(U//~~FOUO~~) [redacted] a software update [redacted] was determined to have inadvertently disabled a processor that [redacted] In the future, all software coding will be scrutinized for compliance before program updates.

(b) (3)-P.L. 86-36

(U//~~FOUO~~) On [redacted] occasions during the second quarter, raw traffic database access was not terminated when access was no longer required. On each occasion, access was terminated.

I.A.4 (U) Data-Handling Error

~~(S//SI//NF)~~ [redacted] an NSA analyst disseminated [redacted] in an e-mail to an IC customer not authorized to see the information. The customer confirmed deletion of the material [redacted] The analyst was reminded about dissemination policies. No reports were issued.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that USP information was shared in an e-mail with IC agency analysts who were not authorized to receive the information. [redacted] the analyst requested that the recipients delete the e-mail.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an e-mail sent to IC customers contained the identity of a USP. The e-mail was recalled and reissued after the identity had been masked. The analyst was counseled on proper minimization procedures.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst mistakenly disseminated the name of a USP in an e-mail to a customer. The information was recalled [redacted]

~~(S//SI//REL TO USA, FVEY)~~ [redacted] analyst disseminated a briefing in an e-mail to authorized personnel, who did not realize the briefing included unpublished information and who then forwarded the e-mail to unauthorized personnel. Recipients were asked to delete the e-mail, and deletion was confirmed.

~~(S//SI//NF)~~ [redacted] an NSA analyst mistakenly disseminated raw traffic to an unauthorized customer. The customer confirmed deletion of the material [redacted] The analyst was reminded of dissemination policies.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a valid foreign intelligence target had traveled to the United States on [redacted] the analyst deleted the data derived from database queries executed during that time. Although no reporting occurred, an analyst had provided unminimized [redacted] in an e-mail to another IC analyst outside the SIGINT production chain. The e-mail was deleted [redacted]

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst disseminated raw traffic to an unauthorized customer. The recipient of the data stated that he had not reviewed the files and had deleted them [redacted]

~~(S//SI//NF)~~ [redacted] two NSA analysts discovered that they inadvertently disseminated USP information through e-mail to IC agency counterparts who were not authorized to receive the information. The information was shared on four occasions [redacted] The error occurred because the analysts misinterpreted procedures concerning the dissemination of USP identities. The analysts recalled the e-mails and asked the recipients to delete the information. The analysts were counseled on the procedures and directed to retake appropriate training. No reports were issued.

~~(TS//SI//NF)~~ an NSA analyst inadvertently provided a selector associated with a USP sent to IC agency personnel who were not authorized to receive it. The selector was originally thought to be associated with a valid foreign target. The analyst asked the recipients to destroy and received confirmation of the destruction The analyst was counseled about the need to protect USP information and the rules preventing the provision of selectors not previously included in serialized reports. No reports were issued.

~~(TS//SI//REL TO USA, FVEY)~~ On occasions the name of a USP was released without authority to unauthorized recipients in a chat room. The information was recalled, and the recipients were instructed to destroy all copies.

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(b) (3)-P.L. 86-36

I.A.5 (U) Systems Error

~~(S//SI//REL TO USA, FVEY~~ a database technical team determined that a technical error caused Data was collected but not reviewed or forwarded. Files that were collected were purged from the database the collection system software was updated, replacing earlier versions that had caused the problem.

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that a selector believed to have been detasked because it belonged to a USP was still tasked. A software problem caused the error. The selector was detasked and all resulting collection purged A software patch was installed to correct the problem.

(U//~~FOUO~~) an unauthorized query was discovered to have resulted from Developers are working to create a systems solution or design training to avoid recurrence.

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I.B. (U) Foreign Intelligence Surveillance Act (FISA)

I.B.1. (U) NSA/CSS Title I FISA

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(b) (3)-P.L. 86-36

I.B.1.a. (U) Detasking Delays

~~(S//SI//NF)~~ an NSA analyst discovered that an e-mail selector authorized for tasking the analyst detasked the target's selectors from but overlooked one selector. The selector was detasked No reports had been issued, and all collection derived from the selector was deleted.

~~(TS//SI//NF)~~ an NSA attempted to task selectors under a FISA Court Order and discovered that the selectors were still tasked under the previous Court Order, which had expired failed to terminate the tasking as requested. records were purged

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(b) (3)-P.L. 86-36

I.B.1.b. (U) **Unauthorized Targeting**

~~(TS//SI//NF)~~ the Department of Justice provided NSA's Office of General Counsel with new guidance about certain telephony selectors As a result of this notice, NSA analysts detasked selectors on Collected information has been deleted or purged; one report has been recalled.

~~(TS//SI//NF)~~ an NSA analyst discovered that a selector, approved for tasking under FISA authority, had inadvertently been tasked through a typographical error The incorrect selector was detasked It is believed that the selector tasked in error does not exist. No collection occurred, and no queries were submitted on that selector

I.B 2. ~~(S//REL TO USA, FVEY)~~ **FISA**

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I.B 2.a. (U) **Database Queries**

~~(S//NF)~~ NSA notified DOJ that an estimated queries in had not been reviewed. Some of the queries Since learning of this situation, NSA analysts have been reviewing and reconciling past queries To avoid recurrence, NSA is working on a solution to improve the performance of auditing tools

~~(S//SI//REL TO USA, FVEY)~~ an NSA auditor discovered that an NSA analyst had run a database query that included The analyst deleted the query and results

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered an overly broad database query The analyst immediately deleted the query and results.

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA auditor determined that an NSA analyst had queried a raw traffic database before conducting required research The analyst deleted the query and was counseled.

I.B.2.b. (U) **Unauthorized Access**

(U//~~FOUO~~) during a management review of all Memoranda of Understanding (MOUs) for detailed and assigned IC personnel within NSA, the MOU authorizing was discovered not to have been finalized. Nevertheless, had been given access During the period of access, received all required compliance briefings and training associated with the accesses and was technically under full operational control of the Director, NSA Upon discovery of this incident, all accesses to were removed until the MOU is finalized

(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ An incident was reported upon initial discovery last quarter as an [redacted] incident, but [redacted] NSA personnel were discovered potentially to have had unauthorized access to [redacted] data. This occurred because the data [redacted] and personnel had not been trained or cleared for the access [redacted] Measures were taken to correct the problem [redacted]

(b) (1)
(b) (3)-P.L. 86-36

I.B.2.c. (U) Data-Handling Error

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst disseminated [redacted] information [redacted] The information had been improperly disseminated via e-mail to a distribution list that contained individuals not authorized to view the information. The e-mails were recalled, and the analyst was counseled on proper handling of this data and the need to ensure that recipients are authorized to receive the data.

I.B.2.d. (U) Systems Error

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA technical director discovered that a systems error had caused a delay in the purging of files containing [redacted] The error was caused by a problem in software code used to determine the age of some files [redacted] modifications were made to the code. All files were deleted, and no dissemination or reporting occurred.

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(b) (3)-P.L. 86-36

I.B.3. ~~(TS//SI//NF)~~ Business Records Order

(U) Nothing to report.

I.B.4. ~~(TS//SI//NF)~~ Pen Register/Trap and Trace (PR/TT) Order

~~(TS//SI//NF)~~ The PR/TT Order expired on 9 December 2011 and has not been renewed.

I.B.5. (U) FISA Amendments Act (FAA)

I.B.5.a. (U) FAA Section 702

(b) (3)-P.L. 86-36

(U//~~FOUO~~) NSA/CSS has implemented a new process to ensure that FAA §702 data that is required to be purged is purged from NSA/CSS databases. NSA created a [redacted] to identify non-compliant data that should be purged.

I.B.5.a.i. (U) Unauthorized Targeting

~~(S//SI//REL TO USA, FVEY)~~ On two occasions [redacted] NSA analysts discovered that a selector had been tasked under an incorrect FISA Certification. On

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both occasions, the selectors were detasked and all data collected under the incorrect certification was purged

(U//~~FOUO~~) [redacted] a selector was discovered to have been improperly tasked The selector was detasked, and all collection was purged

I.B.5.a.ii. (U) Tasking Errors

(U//~~FOUO~~) [redacted] during the second quarter, analysts did not perform the necessary research to establish the location of targets On each occasion, upon discovery, the selector was removed and the collection was purged

(b) (3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts discovered that selectors for foreign intelligence targets had been tasked incorrectly The selectors were detasked, and non-compliant data was purged or marked for purging. No reports were issued.

(U//~~FOUO~~) [redacted] selectors were incorrectly tasked because of typographical errors All associated collection has been purged

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst queried a USP selector after [redacted] had failed. No results were returned. (b) (1) (b) (3)-P.L. 86-36

(U//~~FOUO~~) [redacted] an NSA analyst discovered that a selector had been improperly tasked and immediately detasked the selector All data has been purged

(U//~~FOUO~~) [redacted] a selector was discovered to have been tasked without proper NSA targeting approval. The selector was detasked, and the collection was purged.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector associated with a foreign intelligence target belonged to a USP The selector was immediately detasked The query returned no results, therefore no purging was required and no reports were issued.

I.B.5.a.iii. (U) Database Queries

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ On [redacted] occasions in the second quarter, analysts performed overly broad or poorly constructed database queries that potentially targeted and returned information about USPs. These queries used [redacted] that produced imprecise results

(b) (3)-P.L. 86-36

(U//~~FOUO~~) On [redacted] of those occasions, the queries returned results from the database The results were deleted or aged off, as required, and no reports were issued Analysts who performed these queries were counseled by their management.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query on a U S. selector. The query and results were deleted.

~~(TS//SI//NF)~~ an NSA auditor discovered that, an NSA analyst had initiated a query of All the queries and results were deleted

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed queries using U.S. selectors. The queries and the results were deleted

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(b) (3)-P.L. 86-36

I.B.5.a.iv. (U) **Detasking Delays**

~~(TS//SI//REL TO USA, FVEY)~~ the detasking of a selector was delayed an NSA analyst had detasked associated with a target upon discovering that he was in the United States as of the single selector was detasked and collection was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst detasked a target's selectors after discovering that the target had traveled to the United States on On the analyst identified had not been detasked The selectors were immediately detasked, and the collection was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasked selector the United States. After further research, the analyst discovered that this selector The selector was detasked, and the information was purged No reports had been issued

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(b) (3)-P.L. 86-36

~~(TS//SI//NF)~~ notified NSA that an e-mail account the United States on that day. NSA detasked some of the selectors associated with the e-mail account but not others, because of a misunderstanding of detasking procedures The NSA analyst detasked the rest of the selectors All collection was purged.

~~(TS//SI//NF)~~ an NSA analyst discovered that collection for a selector that had been properly detasked by NSA on because of the target's travel to the United States All non-compliant data collected has been purged

~~(S//SI//REL TO USA, FVEY)~~ selectors were not detasked in collection systems because of a software problem NSA immediately performed a of all the selectors when the error was discovered. A software patch has been installed to correct the problem All collection has been purged

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(b) (3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ records that should have been purged were discovered to have remained in a raw traffic repository because of a processing error. The records have since been purged

~~(TS//SI//NF)~~ an NSA analyst discovered that collection for a selector that had been properly detasked on United States the NSA analyst responsible for was unaware of the detasking request and

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(b) (3)-P.L. 86-36

All information collected during the target's visit has been purged

~~(TS//SI//REL TO USA, FVEY)~~ a selector that was marked for detasking was not detasked the error was discovered and the selector was detasked All information has been purged.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst a target had arrived in the United States on and requested detasking of the selectors. was discovered. The selector was immediately detasked, and the collection was purged (b) (1)
(b) (3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a foreign intelligence target had remained tasked when the target entered the United States on The selector was detasked and all non-compliant data has been purged.

~~(TS//SI//NF)~~ an IC partner discovered a selector that should have been detasked when the target the United States The partner had mistakenly issued a tasking, rather than a detasking request The IC partner ceased receiving all data associated with that selector and NSA purged all collection

~~(TS//SI//REL TO USA, FVEY)~~ an auditor discovered that a selector had remained tasked when the target traveled to the United States A systems error caused improper detasking, and collection continued. The collection was not reviewed, and no reports were issued

~~(TS//SI//NF)~~ an NSA analyst was discovered to have erroneously routed collection to an IC partner and not to the intended recipient. The IC partner confirmed that the collection had not been ingested into its systems

(b) (1)
(b) (3)-P.L. 86-36

I.B.5.a.v. (U) **Data-Handling Errors**

~~(TS//SI//REL TO USA, FVEY)~~ FAA §702 data was discovered to have been improperly stored in a directory not certified for FAA data All non-compliant information has been marked for purging, and NSA is developing a solution to avoid recurrence

~~(TS//SI//REL TO USA, FVEY)~~ FAA §702 data was discovered to have been improperly placed in a repository not certified for FAA data because of a systems error All information has been purged from the non-compliant system, and the error has been corrected

~~(TS//SI//REL TO USA, FVEY)~~ notified NSA of a named USP data it had received from NSA. purged the name

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst processed FAA §702 The data was deleted from the tool

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst moved two files containing FAA §702 data to a directory not certified for FAA data , the two files were moved to an FAA-approved location.

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(b) (3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ NSA personnel discovered that software had been written to select and post FAA §702-derived data to an IC website not authorized to receive such data. NSA determined that the dissemination policy was insufficiently communicated to the software developers and has implemented steps to prevent recurrence

~~(TS//SI//REL TO USA, FVEY)~~ an NSA employee sent an e-mail containing FAA information to two NSA contractors who are not authorized to receive the data The e-mail was recalled

~~(TS//SI//REL TO USA, FVEY)~~ an analyst disseminated FAA §702 data to a person not authorized to receive the information The recipient confirmed deletion of the information

I.B.5.a.vi. (U) **Overcollection**

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that traffic received for a tasked selector contained communications unrelated to the target because of a typographical error. The collection was purged.

I.B.5.a.vii. (U) **Unauthorized Access**

~~(TS//SI//REL TO USA, FVEY)~~ collection associated with a target the target was deemed not of interest. but the collection continued to be routed by mistake All collection has been purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst was discovered to have queried a database and accessed FAA §702 information without authorization or training. The query and results were deleted

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst accessed FAA §702 information from an unauthorized location. The analyst's access at that location was discontinued

(b) (1)
(b) (3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst who had been re-assigned to a new organization that day was discovered to have continued based on the access authorizations of her previous organization and results were deleted

I.B.5.b. (U) **FAA Section 704**

~~(TS//SI//REL TO USA, FVEY)~~ selectors were determined to have remained on task for collection during a target's the United States. The selectors had been detasked The selectors were immediately detasked and all associated collection was deleted No reporting occurred.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst tasked USP selectors but failed to create when the USP returned to the United States and the selectors remained tasked. the analyst detasked the two selectors. No collection or reporting occurred

~~(TS//SI//REL TO USA, FVEY)~~ NSA analysts queried FAA §704 tasked selectors in databases containing FAA §702 and E.O. 12333 collection. Query results were deleted

(b) (1)
(b) (3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a raw traffic database had been queried for selectors belonging to a USP including when the target was not covered under FAA §704. The queries returned no results, and no reporting occurred.

(U//~~FOUO~~) On 28 June 2012, an NSA analyst performed overly broad queries in raw traffic databases. There was no collection and no reporting. The analyst received remedial training.

I.B.5.c. (U) **FAA Section 705(b)**

(b) (1)
(b) (3)-P.L. 86-36
(b) (3)-50 USC 3024(i)

I.B.5.c.i. (U) **Unauthorized Targeting**

~~(TS//SI//NF)~~

All database queries and results were deleted.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst queried a USP selector after the FAA §705(b) authorization had expired. Moreover, the analyst queried the USP selector in an FAA §702 raw traffic database. The analyst immediately recognized his mistakes and deleted the results the NSA analyst queried a different selector associated with the same USP in FAA §702 The analyst immediately noticed his error and deleted the results. The analyst, who is experienced, is providing a training session for other branch members on the special attention required when conducting queries associated with FISA targets

(b) (1)
(b) (3)-P.L. 86-36

I.B.5.c.ii. (U) **Tasking Error**

~~(TS//SI//REL TO USA, FVEY)~~ an NSA IO Officer discovered that a selector associated with a USP and authorized under FAA §705(b) had been improperly tasked

[redacted] The error occurred because the selector had been inadvertently [redacted] Traffic collected [redacted] No reports were issued.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that an e-mail selector associated with a target authorized under FAA §705(b) had been tasked incorrectly because of a typographical error. Upon discovery of the error, the analyst detasked the selector. No collection occurred, and no reports were issued.

(b) (1)
(b) (3)-P.L. 86-36

I.B.5.c.iii. (U) Detasking Delay

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] during a review of tasking, an NSA analyst discovered that the selectors associated with a USP and authorized for collection under FAA §705(b) had remained tasked after the target had entered the United States on [redacted] The analyst detasked the target's selectors [redacted] No collection occurred, and no reports were issued.

I.C. (U) Consensual Collection

(b) (1)
(b) (3)-P.L. 86-36

(U) Nothing to report.

I.D. (U) Dissemination of U.S. Identities

~~(TS//SI//NF)~~ The NSA/CSS enterprise issued [redacted] SIGINT product reports during the second quarter of CY2012. In [redacted] SIGINT products, disseminations were found to be improper, and the reports were canceled as NSA/CSS and [redacted] analysts learned of USPs, U.S. organizations, or U.S. entities named without authorization. All data in the canceled reports was deleted as required, and the reports were not re-issued or were re-issued with proper minimization.

(U//~~FOUO~~) In past reporting, NSA provided the number of occasions on which SIGINT analysts included information that identified USPs or U.S. entities while pursuing foreign intelligence tasking. The majority of the U.S. entity names were those of Internet service providers in e-mail selectors. NSA now considers these names to be products and services and, therefore, may be named in disseminated SIGINT products. As a result, to improve the accuracy and make our report more meaningful, NSA is not providing that statistic this quarter and will develop a new method of presenting the information next quarter.

I.E. (U) Counterintelligence Activities

(U) Nothing to report.

(b) (1)
(b) (3)-P.L. 86-36
(b) (3)-50 USC 3024(i)

I.F. (U) Detection and Prevention of Violations

~~(TS//SI//REL TO USA, FVEY)~~ To reduce the risk of unauthorized telephony collection and prevent violations, NSA/CSS has instituted a process that gives analysts greater and faster insight into a target's location. [redacted]

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(b) (3)-P.L. 86-36
(b) (3)-50 USC 3024(i)

[redacted] Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts found [redacted] e-mail accounts [redacted] in the second quarter. Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(b) (1)
(b) (3)-P.L. 86-36
(b) (3)-50 USC 3024(i)

II. (U) NSA/CSS Office of the Inspector General (OIG) IO Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During the second quarter of CY2012, the OIG reviewed various NSA/CSS intelligence activities to determine whether they had been conducted in accordance with statutes, Executive Orders, Attorney General (AG) procedures, and Department of Defense (DoD) and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

(b) (1)
(b) (3)-P.L. 86-36
(b) (3)-50 USC 3024(i)

II.A. (U) Annual Selector Review

~~(S//SI//REL TO USA, FVEY)~~ Under AG-approved procedures, NSA/CSS is required to conduct a yearly review of [redacted] As a result of the 2011 review, more than [redacted] selectors ([redacted] percent of the total reviewed) were removed because the target offices concluded that the selectors no longer had foreign intelligence value.

(b) (1)
(b) (3)-P.L. 86-36

II.B. (U) Trends Noted in the Annual Review of Quarterly IO Reports for 2011

(U//~~FOUO~~) The NSA OIG published an analysis of trends noted in the quarterly IO reports for CY2011. The review highlighted three areas in which analysts committed procedural errors:

- (U//~~FOUO~~) Failure to perform required research on selectors before querying raw traffic database,
- (U//~~FOUO~~) Detasking delays caused when analysts had information requiring detasking but did not detask immediately or did not detask as requested, and
- (U//~~FOUO~~) Dissemination of FISA or FAA data to e-mail distribution lists that included persons not trained to handle the data and systems not authorized to retain it.

(U) The OIG advised the SIGINT Directorate to implement enhanced training and awareness procedures.

II.C. (U) **NSA/CSS Representative**

(U//~~FOUO~~) As part of an NSA/CSS IG field inspection of an IO inspector reviewed the IO program, IO training, and application of IO standards in the SIGINT mission activities performed at the site. The inspector found that the site lacked formal documentation that described the scope of the overall IO program and delineated the responsibilities of designated IO personnel. The inspector also found that the site's requirement for the completion of IO training by newly assigned employees and reassignees within 30 days of arrival at the site was not enforced. A survey conducted at the site revealed that the operational workforce had a sound knowledge of IO standards with some weaknesses in the understanding of the handling of raw SIGINT and of minimization and dissemination standards.

(b)(3)-P.L. 86-36

II.D. (U) **NSA/CSS Representative**

(U//~~FOUO~~) As part of an NSA/CSS IG field inspection of from an IO inspector reviewed IO program management, IO training, IO knowledge, and the application of IO standards in mission activities. The inspector found an overall lack of IO-related documentation and compliance with IO training. Managing core IO training accountability and compliance awareness and maintaining appropriate controls for access to raw SIGINT traffic databases pose challenges for leadership, which is implementing OIG recommendations to cure the problem.

II.E. ~~(TS//SI//NF)~~

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~~(TS//SI//NF)~~ IO inspectors reviewed the The inspectors reviewed these activities for adherence to IO policies and procedures, particularly IO training and the application of IO standards The activities lacked some IO documentation, particularly database access approvals for deployed analysts and for certain SIGINT disseminations.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

II.F. (U) **Unauthorized Intelligence Activity**

(U) Nothing to report.

II.G. (U) **Misuse of the U.S. SIGINT System**

(U) Nothing to report.

II.H. (U) **Congressional and IO Board Notifications**

(U) Nothing to report.

II.I. (U) **Other Notifications**

~~(TS//SI//REL TO USA, FVEY)~~ NSA/CSS notified the Attorney General of intelligence-related collection activities associated with USP hostage and detainee cases.

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(b)(3)-P.L. 86-36

III. (U) **Substantive Changes to the NSA/CSS IO Program**

(U) Nothing to report.

IV. (U) **Changes to NSA/CSS Published Directives or Policies Concerning Intelligence, Counterintelligence, or Intelligence -Related Activities and the Reason for the Changes**

(U) Nothing to report.

V. (U) Procedures Governing the Activities of DoD Intelligence Components that Affect USP (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to IO Programs

(U) Nothing to report.

VI. (U) Crimes Reporting

~~(S//NF)~~ [redacted] tool being improperly used by a U.S. service member. Analysis indicated that the service member used the tool [redacted] The investigation into this incident is ongoing.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)